

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALEXANDER STEWART, et al.	:	CIVIL ACTION
	:	
v.	:	
	:	
UNITED STATES OF AMERICA, et	:	NO. 17-3691
al.	:	

ORDER

AND NOW, this 15th day of February, 2018, for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

(1) the motion of the United States and U.S. General Services Administration to "dismiss the complaint and cross-claim" (Doc. # 11) under Rules 12(b)(1) and 12(b)6) of the Federal Rules of Civil Procedure is GRANTED as follows:

(a) plaintiff Alexander Stewart's claim for negligence in Count I against the United States is DISMISSED under Rule 12(b)(6);

(b) plaintiff Alexander Stewart's claim for negligence in Count III against U.S. General Services Administration is DISMISSED under Rule 12(b)(1);

(c) plaintiff Dorothy Stewart's claim for loss of consortium in Count V against the United States is DISMISSED under Rule 12(b)(6);

(d) plaintiff Dorothy Stewart's claim for loss of consortium in Count V against U.S. General Services Administration is DISMISSED under Rule 12(b)(1);

(e) the crossclaim of defendant Raven Services, JV, LLC for indemnification and contribution against the United States is DISMISSED under Local Rule 7.1(c);

(f) the crossclaim of defendant Raven Services, JV, LLC for indemnification and contribution against U.S. General Services Administration is DISMISSED under Local Rule 7.1(c); and

(2) the motion of the United States and U.S. General Services Administration to "dismiss the Octagon Services, Inc.'s cross-claim [sic] against them" (Doc. # 15) under Rules 12(b)(1) and 12(b)6) of the Federal Rules of Civil Procedure is GRANTED pursuant to Local rule 7.1(c).

BY THE COURT:

/s/ Harvey Bartle III

J.